

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
HORATIO HOWARD,) CASE NO. 08-20639 JPK
) Chapter 13
Debtor.)

ORDER TO SHOW CAUSE

On October 20, 2008, a status conference concerning confirmation of the above-designated plan was held. The Chapter 13 Trustee appeared by counsel Julia M. Hoham; the debtor's counsel failed to appear. At the confirmation hearing originally held on May 21, 2008, the attorney for the Chapter 13 Trustee reported that the plan could not be confirmed due to underfunding for the mortgage arrearage with respect to real property proposed to be retained by the debtor. A further status conference was held on August 18, 2008, which was continued to October 20, 2008 to allow "debtor to seek to contact Countrywide Home Loans regarding amount of arrearage and current mortgage payment". These matters require resolution before the plan can be confirmed, and Attorney Holland's attendance at the October 20, 2008 hearing as counsel for the debtor. On August 18, 2008, Attorney Hoham reported that matters relating to Countrywide Home Loans had not yet been resolved, and the record does not establish any affirmative action undertaken by the debtor's counsel to resolve those matters so that the plan can be confirmed.

Attorneys for debtors are expected to attend confirmation status conferences unless the Chapter 13 Trustee's counsel can report as to the status of confirmation on behalf of the debtor's counsel. That was not the case here.

IT IS ORDERED that a hearing will be held on **December 1, 2008, at 1:00 P.M.** at which Attorney Robert M. Holland III shall appear to show cause, if any he has, why sanctions should not be imposed upon him for his failure to attend the status conference held on October 20, 2008.

Dated at Hammond, Indiana on November 6, 2008.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor, Trustee, US Trustee